

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

BRYAN REPETTO)
v.) CIVIL NO. 2:08-CV-101-P-S
ST. MATTHEW'S UNIVERSITY'S INC.)

PROCEDURAL ORDER

The above matter is pending after removal from the courts of the State of Maine. This Court is advised by the Chief Justice of the Maine Superior Court that the courts of Maine are without the necessary resources to reasonably respond to the needs of this Court and counsel herein for certified accurate records of removed proceedings remaining in the state courts from which removal is taken. However, this action cannot go forward efficiently or effectively in this Court without the Court having access to the records of the case as conducted in the state court prior to removal.

Accordingly, it is hereby ORDERED that counsel for the removing party shall file with the Clerk of this Court, within seven (7) days of the date of this Order, a complete copy of the record of this case in the state court as made prior to removal ("duplicate record"), which shall include the written record of all actions taken by the state court in the matter prior to removal. Counsel shall be responsible, to assure the completeness and accuracy of the duplicate record and shall file therewith an affidavit, under oath, stating that counsel represents:

(1) that the duplicate record contains an accurate copy of every document, of every kind and description, docketed in the state court proceedings before removal to this Court; and

(2) that the duplicate record reflects every action taken in the matter by the state court prior to removal.

The duplicate record shall be organized in the order of docketing in the state court and filed with this Court in accordance with the Administrative Procedures Governing the Filing and Service by Electronic Means.

Failure to timely file the duplicate record and the specified affidavit of counsel may result in a remand of this matter to the state court from which removed or dismissal of the action.

GEORGE Z. SINGAL
U. S. Chief District Judge

By: /s/ Michelle Thibodeau
Deputy Clerk

Dated this 1st day of April, 2008.